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Work of the Advisory Board on Disarmament Matters

Report of the Secretary-General

Summary

The Secretary-General's Advisory Board on Disarmament Matters held its forty-ninth and fiftieth sessions, respectively, in New York from 20 to 22 February and in Geneva from 9 to 11 July 2008. In order to improve its method of work, the Board agreed to focus its deliberations during both sessions on three agenda items (a) issues of energy security and environment in the field of disarmament and non-proliferation, (b) the "Hoover Plan" for nuclear disarmament: multilateralism and the United Nations dimension and (c) emerging weapons technologies, including outer space aspects (a continuation of discussions from the forty-eighth session in 2007).

Regarding the issue of energy security and the environment, the Board encouraged a broader dialogue on the peaceful use of nuclear energy, including the various proposals for the establishment of national and multilateral nuclear fuel supply arrangements under a multilateral framework.

Following its exchange of views on the "Hoover Plan", the Board recommended that the Secretary-General should continue strengthening his personal role in generating political will in the field of nuclear disarmament and non-proliferation. It also recommended that he should seize the momentum created by the Plan and encourage wider discussions regarding its objectives, with the United Nations possibly acting as a multilateral forum for such discussions.

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With regard to the topic of emerging weapons technologies, including outer space issues, the Board suggested that the Secretary-General continue to raise awareness of the risks/threats related to emerging weapons technologies as well as the need for a dialogue between Governments and the scientific community on emerging technologies with military applications, and developed further its proposal for the Secretary-General to consider the establishment of a high-level panel, including eminent scientists, on the issue of emerging weapons technologies, including outer space aspects, and its possible implications for international peace and security.

As the Board of Trustees for the United Nations Institute for Disarmament Research, the Board adopted the Institute's 2008 programme budget and approved for submission to the General Assembly the report of the Director of the Institute on its activities from August 2007 to July 2008, as well as the proposed programme of work and budget for 2008-2009. In connection with the selection of a new Director for the Institute, the Board sent its recommendations to the Secretary-General.

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I. Introduction

1. The Advisory Board on Disarmament Matters held its forty-ninth and fiftieth sessions, respectively, in New York from 20 to 22 February and in Geneva from 9 to 11 July 2008. The present report is submitted pursuant to General Assembly resolution 38/183 O. The report of the Director of the United Nations Institute for Disarmament Research (UNIDIR), approved by the Advisory Board serving as its Board of Trustees, has been submitted in a separate document (A/63/177).

2. Adam Daniel Rotfeld of Poland chaired the two sessions of the Board in 2008.

3. The present report summarizes the Board's deliberations during the two sessions and the specific recommendations it conveyed to the Secretary-General.

II. Substantive discussions and recommendations

A. Issues of energy security and the environment in the field of disarmament and non-proliferation

4. The Board exchanged views on issues of energy security and the environment, and their impact on the field of disarmament and non-proliferation. The background for that agenda item was recognition that the continuously rising global demand for energy and the ensuing competition for energy resources had a significant impact on international peace and security.

5. The Board had before it food-for-thought papers on the agenda item prepared by two members, Mahmoud Karem and Carolina Hernandez.

6. The Board also heard a presentation by an expert, Arjun Makhijani, President of the Institute for Energy and Environmental Research, on the ideas contained in his recently published scientific study, entitled *Carbon-Free and Nuclear-Free: A Roadmap for U.S. Energy Policy*,[1] concerning the ways in which the United States of America could attain energy security with a zero carbon dioxide economy without resort to nuclear energy.

7. The issue of nuclear energy dominated the discussions on the agenda item. Many members agreed that the simultaneity of proliferation and energy concerns had created both political and economic obligations to address questions pertaining to the peaceful use of nuclear energy in a more concrete and urgent manner. Many Board members reiterated the right of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to obtain nuclear technology for peaceful purposes under the terms of the Treaty. In particular, there was some emphasis that all States parties to the Treaty had the right to pursue peaceful, civilian-use nuclear energy in cooperation with States, in a position to do so, that already had nuclear capabilities, including enrichment capabilities. Members also stressed the importance of reconciling the right to the peaceful use of nuclear energy under article IV of the Treaty and the need to strengthen the non-proliferation regime.

[1] Arjun Makhijani, *Carbon-Free and Nuclear-Free: A Roadmap for U.S. Energy Policy* (a joint project of the Nuclear Policy Research Institute and the Institute for Energy and Environmental Research) (IEER Press and RDR Books, 2007).

8. Numerous opinions were expressed on the need to address the issue of securing the nuclear fuel cycle to ensure non-diversion and provide States parties to the Treaty with peaceful nuclear power. Many members mentioned the need to develop arrangements for ensuring the reliable supply of fuel as a means of achieving the long-term sustainability of the production of nuclear energy. While welcoming various proposals regarding the nuclear fuel cycle and acknowledging their contribution to non-proliferation efforts, many members underscored the need to bring the discussion to a credible multilateral framework.

9. Certain members also stressed the importance of establishing a non-discriminatory system and some specifically warned against creating another divide between haves and have-nots. One member also stressed the importance of addressing the legitimacy of any future nuclear fuel cycle mechanism. While some members discussed economic aspects, others emphasized the need to take into account political and security aspects, noting that political and strategic aims drove certain countries to pursue enrichment and reprocessing programmes. It was also mentioned that a new multilateral mechanism regulating access to the nuclear fuel cycle should entail multilateral assurances of the supply of fissile material for energy purposes. To facilitate the establishment of such a new mechanism, the necessity for a multilateral treaty banning the production of fissile material for nuclear weapons, as well as financial arrangements, was mentioned. Members commented on ongoing initiatives as well as proposals for the establishment of international uranium enrichment centres placed under International Atomic Energy Agency (IAEA) safeguards that would ensure stable supplies of nuclear fuel and assure non-diversion to weapons purposes. One member commented that a multilateral treaty banning the production of fissile material for nuclear weapons would facilitate the establishment of a new discipline for the nuclear fuel cycle.

10. The issue of the safety of nuclear materials was also discussed. Some members stressed that the security of nuclear facilities, including enrichment facilities, energy centres and nuclear waste materials warranted greater attention in the form of multilateral cooperation to combat possible attacks. One member expressed concern over the vulnerability of shipments by land or sea of spent nuclear fuel and reprocessed uranium for use in nuclear reactors worldwide owing to possible accidents or terrorist acts. The view was also expressed that the protection of energy and transit routes should not be tied to any global initiative.

11. One member called for support for efforts to "depoliticize" the discussions on nuclear energy. Several members were of the view that there was a need to involve the general public in a global debate on the advantages and disadvantages of nuclear energy.

12. Members stressed the importance of examining the negative implications of the search for energy security for the environment and non-proliferation. Some members expressed different views on the future role of nuclear energy, with some advocating further development of nuclear energy as green and clean energy and others highlighting proliferation risks and environmental damages. It was noted, however, that a broad debate on energy security was not within the disarmament and security mandate of the Board. A number of members underscored the important role of IAEA in addressing such issues.

13. The Board also considered related non-proliferation concerns. One member proposed to negotiate, within the IAEA framework, another legally binding

instrument (a second additional protocol) on the peaceful use of nuclear energy, which would contain provisions on the interpretation of article IV in relation to articles I and II, especially non-proliferation. Another member emphasized the need to establish linkages between development and non-proliferation concerns so that multilateral mechanisms could be developed to tackle the energy and proliferation problems.

14. The Board underlined the importance of building confidence and mutual trust among States in that field. Some members welcomed the idea of regional security dialogue, including discussions on the peaceful use of nuclear energy among Middle Eastern countries. One member added, however, that as long as energy problems persisted, concerns over a "nuclear energy renaissance" were confined not only to the Middle East but also to all regions of the globe. Moreover, the Board exchanged views on the issue of Iran's nuclear programme, with concern expressed about its political and strategic aims. While members expressed diverse views on the question, several emphasized the centrality of the issue in addressing the concerns about energy security and nuclear proliferation.

15. Members also commented on the contribution of nuclear-weapon-free zones to non-proliferation goals while promoting the peaceful use of nuclear energy. In addition, they discussed the issue of verification, in particular in the context of non-compliance with safeguards obligations. The Board also noted the political commitment of the recent G-8 Summit in Japan with respect to the strengthening of the non-proliferation regime.

Recommendation

16. **The Board suggested that the Secretary-General encourage a broader dialogue on the peaceful use of nuclear energy, including the various proposals for the establishment of national and multilateral nuclear fuel supply arrangements under a multilateral framework.**

B. The "Hoover Plan" for nuclear disarmament: multilateralism and the United Nations dimension

17. For its second agenda item, the Board discussed the so-called "Hoover Plan", or the Nuclear Security Project, a proposal launched in 2007 by former high-ranking United States officials.[2] The Board explored the implications of that private initiative relative to multilateral efforts towards nuclear disarmament and non-proliferation.

18. Two members, Kate Dewes and Michael Clarke, presented food-for-thought papers on the topic at the forty-ninth session.

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[2] The Project builds on the 4 January 2007 *Wall Street Journal* op-ed article by two former United States Secretaries of State, George Shultz (1982-1989), currently a distinguished fellow at the Hoover Institution at Stanford University, and Henry Kissinger (1973-1977), currently Chairman of Kissinger Associates, as well as Bill Perry, former Secretary of Defense (1994-1997), and Sam Nunn, former Senator and Chairman of the Senate Armed Services Committee. The article links a vision of a world free of nuclear weapons with urgent steps designed to reduce nuclear dangers. See www.nuclearsecurityproject.org.

19. At the forty-ninth session, a presentation was provided by Thomas Graham, Jr., Chairman of the Board of the Cypress Fund for Peace and Security, who was among the original endorsers of the op-ed article.[3] He gave a detailed description of various aspects of the Plan, including its history, motivation and future development. At the fiftieth session, the Board heard a presentation by Rolf Ekéus, Chairman of the Governing Board of the Stockholm International Peace Research Institute and former Executive Chairman of the United Nations Special Commission on Iraq from 1991 to 1997, who stressed that verification was pivotal to the success of the Plan's proposals for a nuclear-weapons-free world.

20. Given the Plan's national and trans-Atlantic character, several members stressed the need to expand the discussion to its multilateral aspects. It was stated that the Plan originated from former Government officials and was thus outside the official United States political arena. Other questions were raised about the Plan's added value since many ideas contained in the Plan were not considered to be new. Some members also noted that certain ideas in the Plan were unrealistic and underscored the importance of consolidating and revising the Plan in such a way as to make it more comprehensive, focused and achievable.

21. Some stressed that the Plan was not relevant to other regional and subregional contexts, in particular the Middle East region. It was proposed that in order to obtain wider international interest, the Plan would need to develop coherent proposals for nuclear issues relevant to other regions, such as the Middle East and North-East Asia.

22. While acknowledging the diverse opinions about the Plan, many members underlined its significance, in particular in terms of its timing and the momentum it had created before the United States presidential election. Importance was also attached to the Plan's authors, noting their expertise, credentials and political influence. Several members emphasized the importance of translating the proposals into actual policy. Consequently, some members suggested that the United Nations would be a suitable forum where the Plan's proposals could be discussed and synthesized. Others commented on the need to discuss the Plan in the Nuclear Non-Proliferation Treaty framework.

23. Some members proposed a track II approach, with the five permanent Members of the Security Council discussing the Plan's merits initially and then moving to a wider discussion involving States not parties to the Nuclear Non-Proliferation Treaty and non-nuclear-weapon States. There were some suggestions that the Advisory Board could search for ways and means for the Secretary-General to bring the Plan to the attention of global policymakers. Some members also suggested that the Secretary-General should be advised to express support for the Plan. However, it was proposed instead that the Board advise the Secretary-General to seize the momentum created by the Plan and try to encourage broader discussions on it.

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[3] A conference organized by George Shultz and Sidney D. Drell was held at the Hoover Institution to reconsider the vision that former Presidents Reagan and Gorbachev brought to Reykjavik in 1986. In addition to Messrs. Shultz and Drell, the following participants endorsed the view in the statement: Martin Anderson, Steve Andreasen, Michael Armacost, William Crowe, James Goodby, Thomas Graham, Jr., Thomas Henriksen, David Holloway, Max Kampelman, Jack Matlock, John McLaughlin, Don Oberdorfer, Rozanne Ridgeway, Henry Rowen, Roald Sagdeev and Abraham Sofaer.

24. The Board members also exchanged views on other issues related to nuclear disarmament and non-proliferation. One member commented that instead of opposing the objectives of nuclear disarmament under the terms of article VI of the Nuclear Non-Proliferation Treaty or of making one objective dependent on the other in a purely sequential manner, it would be more promising for the international community to encourage a mutually reinforcing approach of those objectives with a view to undiminished global and regional security.

25. It was also stated that there was a growing worldwide consensus regarding the dangers of proliferation and that there was increasing support for the Nuclear Non-Proliferation Treaty as the cornerstone of international security. It was suggested that the Secretary-General could welcome the ongoing efforts by Treaty nuclear-weapon States towards decreased reliance on nuclear weapons for their national security, as well as towards the reduction of nuclear weapons globally. Another member, however, expressed support for the 1996 advisory opinion of the International Court of Justice to negotiate complete nuclear disarmament in good faith. It was also suggested that both nuclear and non-nuclear-weapon States propose and implement confidence-building measures, such as the strengthening of nuclear-weapon-free zones.

26. The importance of a personal role by the Secretary-General, as well as by the Special Representative for Disarmament Affairs, in generating political will in the field of nuclear disarmament and non-proliferation was underlined. In that context, a suggestion was made for a "friends of the Chair" mechanism, similar to the 1995 Review and Extension Conference of the Parties to the Treaty for the 2010 Review Conference, with perhaps the Special Representative for Disarmament Affairs, the Director-General of IAEA and the Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization assisting in the negotiation process, especially during the final week of the Review Conference.

27. Some members also stressed the need to seriously address regional disarmament and arms control issues and called for broader regional and subregional approaches. In that respect, some members also underlined the importance of taking note of existing regional differences.

28. A suggestion was also made to consider the role and function of existing multilateral documents, such as General Assembly resolutions and consensus language from the Nuclear Non-Proliferation Treaty Review processes, in seeking a path towards nuclear disarmament and non-proliferation.

Recommendations

29. **The Board made the following recommendations:**

(a) The Secretary-General should continue to strengthen his personal role in generating political will in the field of nuclear disarmament and non-proliferation;

(b) The Secretary-General should seize the momentum created by the Nuclear Security Project ("Hoover Plan") and encourage wider discussions regarding the objectives of the Plan, with the United Nations possibly acting as a multilateral forum for such discussions.

C. Emerging weapons technologies, including outer space aspects

30. The Board continued its discussions on the agenda item, which it had started at its forty-eighth session in 2007.

31. At its forty-ninth session, the Board had before it food-for-thought papers on the agenda item prepared by two members, Elisabet Borsiin Bonnier and H.M.G.S. Palihakkara.

32. To meet the new risks and challenges from new weapons technologies, the need to elaborate and promote adequate international norms and rules, perhaps in the form of a code of conduct, was mentioned. Views were expressed although those technologies should neither be prohibited nor restricted, there still could be a need to focus on the offensive capabilities of such emerging technologies in a legally binding context. Some members stated that there was a close interconnection between the issues of disarmament and non-proliferation and the new security environment resulting from the development of new technologies for both offensive and defensive weapons purposes.

33. Some Board members reiterated concerns over the possibility of non-State actors acquiring emerging technologies for weapons purposes and the efforts that could be made to prevent such occurrences.

34. In addition, concern was expressed over the possibility of widening gaps between developed and developing States in connection with such emerging technologies.

35. As a means of addressing the foregoing challenges, the Board believed there was a need for greater transparency, better communication and increased confidence among the civilian, military and scientific communities on the issue of emerging technologies. Some members also stressed the requirement for broader involvement of the private sector in arms control and non-proliferation processes in the context of new weapons technologies, given the increasing prospects for the privatization of warfare. Furthermore, owing to the apparent lack of public awareness of the issues pertaining to emerging weapons technologies, views were expressed about the importance of raising the awareness of the general public, as well as the need to initiate a dialogue to facilitate early scientific warnings of certain emerging military technologies.

36. Other noteworthy views included the necessity of gaining a better understanding of the military doctrines and strategies behind the potential use of such emerging technologies, and the consideration of any potential spillover effects those new weapons technologies might have on global military expenditures.

37. Given the highly technical nature of the issue of emerging technologies, including outer space, some Board members commented on the need to engage scientists in such discussions. A discussion evolved around the recommendation the Board had made to the Secretary-General in 2007 regarding the creation by the Secretary-General of a high-level panel on space governance, and a suggestion was formulated to broaden the scope of such a panel to include eminent scientists on emerging weapons technologies and future implications for international peace and security.

38. Support was expressed for negotiations on an instrument on the prevention of an arms race in outer space. In that regard, support was also mentioned for proactive multilateral work by the United Nations in pursuing preventive diplomacy on space security issues, including international efforts to create a code of conduct which would include confidence-building measures and best practices to regulate space objects and outer space activities.

39. Members also discussed the issue of space security, including the danger of space debris. Different views were expressed regarding the approach to that issue. Some members stressed the need to negotiate a new legally binding instrument to prohibit an arms race in outer space. Another member expressed skepticism about an arms control treaty on outer space, noting that space debris was created by weapons on the ground, not space weapons.

Recommendations

40. **The Board made the following recommendations:**

(a) **The Secretary-General should continue raising awareness of the risks/threats related to emerging weapons technologies and initiate a dialogue between Governments and the scientific community on emerging technologies with military applications;**

(b) **The Secretary-General could consider the creation of a high-level panel, including eminent scientists, on the issue of emerging weapons technologies, including outer space aspects, and their possible implications for international peace and security.**

III. Meeting with the Secretary-General

41. The Board met with the Secretary-General on 20 February 2008. Several members of the Board took the opportunity to exchange views on issues related to multilateral disarmament and non-proliferation.

IV. Civil society/non-governmental organization presentations

42. As is customary, the Board heard presentations on issues pertaining to its agenda from representatives of non-governmental organizations during both of its sessions. On outer space issues and nuclear energy, presentations were made at the forty-ninth session, respectively, by Mike Moore, Research Fellow, The Independent Institute, former editor of the *Bulletin of Atomic Scientists* and member of several national task forces on military space policy and national security issues under the umbrella of the Council on Foreign Relations, the Eisenhower Institute and the Stanley Foundation, and Hal Fieveson, a senior research scientist and co-founder of the Program on Science and Global Security at the Woodrow Wilson School of Public and International Affairs at Princeton University.

43. At the Board's fiftieth session, Xanthe Hall, a nuclear disarmament campaigner with International Physicians for the Prevention of Nuclear War, located in Berlin, made a presentation on nuclear power versus sustainable energy security. Moreover, Jürgen Altmann, a physicist and peace researcher at Technische

Universität, Dortmund, Germany, and co-founder of the German Research Association for Science, Disarmament and International Security, spoke on the potential weapons applications of revolutionary technologies.

V. Board of Trustees of the United Nations Institute for Disarmament Research

44. At its forty-ninth session, the Advisory Board, sitting as the Board of Trustees, received a comprehensive briefing from the Director of UNIDIR, Patricia Lewis, on the Institute's work. The Board commended the work carried out by UNIDIR and expressed satisfaction at its activities. There was general agreement that the Institute should be provided with adequate funding in order to strengthen its activities. Some Board members emphasized the need to strengthen the Institute's research activities related to the Middle East region. Other members supported the efforts of UNIDIR to reach out to a wider and younger audience by means of modern information technology, such as blogs and podcasts.

45. The Board formally adopted the Institute's 2008 programme budget contained in document A/62/152. The Director of UNIDIR also informed the Board of her decision to resign from her position effective August 2008. Consequently, the Chairman provided a brief explanation of the selection process for a new Director in accordance with the statute of the Institute.

46. At its fiftieth session, the Board received an oral briefing from the Director of the Institute on the activities of UNIDIR since its last meeting. A subcommittee on UNIDIR consisting of six members of the Board met prior to the scheduled session, on 7 and 8 July, to review in detail the programme of the Institute.

47. The Board expressed its deep appreciation for the decade of committed and enlightened service of the Director, and wished her well in her new position.

48. Members of the Board commended the Institute's work. Several members applauded the efforts of the United Nations Institute for Disarmament Research to expand its outreach into the Asian region but stressed that more needed to be done. It was also suggested that the Institute's outreach activities be expanded to the general public as well as to individuals unfamiliar with disarmament-related issues.

49. In connection with the selection process for a new Director, the Board was briefed by the Chairman on the work of the Selection Committee, which met on 7 and 8 July 2008, endorsed its findings and agreed to send the Secretary-General its recommendations for the appointment.

50. After considering the draft report of the Director on the activities of the Institute for the period from August 2007 to July 2008 and the proposed programme of work and budget for 2008-2009, the Board approved the report for submission to the General Assembly. The Board welcomed the approval by the Assembly in December 2007 of the subvention for the biennium 2008-2009.

VI. Future work

51. The Board exchanged views on several possible topics for discussion at its sessions in 2009, including such matters as confidence-building measures in both

the nuclear and conventional fields, the future of the Conference on Disarmament and the preparatory process leading to the 2010 Nuclear Non-Proliferation Treaty Review Conference.

52. Possible topics suggested were (a) the role of confidence-building measures in both the nuclear and non-nuclear fields, including regional confidence-building measures, (b) ways to achieve a successful outcome of the 2010 Nuclear Non-Proliferation Treaty Review Conference (c) issues related to specific emerging weapons technologies and (d) conventional weapons proliferation and non-State actors.

VII. Conclusions

53. By opting to change its method of work and discuss the same agenda items during both its sessions in 2008, the Board was able to have more in-depth and lively deliberation on the three topics chosen, and to present a more cohesive report and considered recommendations.

54. The question of nuclear energy dominated the discussions on the topic of energy security and environment, with diverging views expressed by some members. Considerable interest was expressed on the Nuclear Security Project ("Hoover Plan") and its possible implications for multilateral nuclear disarmament and non-proliferation. Although the Board recognized that the Plan originated from former Government officials in the United States, many members underlined its significance, especially in terms of its timing and momentum, and encouraged broader multilateral discussions on its objectives. The Board was able to spend considerable time deliberating over the issue of emerging weapons, including outer space issues. However, given the highly complex and technical nature of the issue, many members emphasized the need for broader involvement of governmental, academic, scientific and industrial communities in discussing the possible implications of such technologies for international peace and security.

Annex

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